COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: September 19, 2002

OFFICE CORRESPONDENCE FILE:

FROM: RICHARD L. CASTRO, COMMANDER
TRAINING DIVISION

TO: JAMES R. LOPEZ, CAPTAIN
CENTURY STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS USE OF FORCE, MARCH 8, 2002, REVIEW #2058884**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on March 8, 2002.

The Committee met on September 12, 2002, and consisted of myself, Commander David Betkey (Commander of the Department) and Commander William McSweeney (Office of the UnderSheriff). The Committee determined that the use of force by Deputies [redacted] #[redacted] and Richard White #[redacted] was within Department policy. **Please advise the deputies of this decision.**

The Committee additionally directed that Field Operations Support Services, Field Operations Training and Century Station training personnel examine the "chase and contain" tactic in which one deputy in a radio car and one on foot chase a suspect on foot, and determine if this tactic necessitates a change in the current foot pursuit policy and/or training curriculum.

cc: Lt. Fogarty, Field Operations Training Unit
Lt. Shaw, Field Operations Support Services

RLC:KRK:kk

Table of Contents

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 03/15/02	Bureau/Station/Facility: FOR II / Century Station	Admin. Invest.? ☐ Hit? ☐

Incident Information

URN: 002-05092-2141-055	Date: 03/08/02 Time: 1920 hours
City or Station: Century Station	Nature of Incident: Deputies contacted a group of possible gang members. One of the individuals ran. Deputies chased on foot and car. Subject stopped, pointed gun at deputy. Deputy fired at subject but missed. Other Deputy also fired at subject and missed. No one was hit, subject received minor abrasions, deputies uninjured.
Location: [redacted] E. 139th Street Los Angeles (Athens Park)	

Location Type (*circle one or more*):	Lighting (*circle only one*):	Incident Type (*circle one or more*):	Initiated by (*circle only one*):
Backyard	**(Darkness)**	Accidental	Arrest Warrant
Beach	Daylight	Armed Person	Call
Business	Other	**(Fleeing Suspect)**	**(Observation)**
Freeway	Street Lights	**(Foot Pursuit)**	One Person Unit
Industrial		Gun Take Away	Other
Park	Weather (*circle only one*):	Moving Vehicle	Search Warrant
Parking Lot	**(Clear)**	Sniper/Ambush	Two Person Unit
(Residence)	Cloudy	Startle	
Rural	Fog	Struggle Involved	Prior Activity (*circle only one*):
School	Rain	Traffic Stop	Detective
Street		Unarmed Person	Inmate Transport
Other: side yard	Distance: 15-40 ft	Unintentional	Other
		Vehicle Pursuit	**(Routine Patrol)**
		Warrant Service	
Total # of Shots Fired by Deputy: 11	Total # of Shots Fired by Suspect: 0	Other:	Aero Unit? ☐ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*):	ShiftType (*circle only one*):
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name [redacted] FB/[redacted]		First Name [redacted]	M.I.		
Street Addre[redacted]	City [redacted]	Zip [redacted]	[redacted]	[redacted]	
Last Name [redacted] FB/[redacted]		First Name [redacted]	M.I.		
Street Addre[redacted]	City [redacted]	Zip [redacted]	[redacted]	[redacted]	
Last Name [redacted] FB/[redacted]		First Name [redacted]	M.I.		
Street A[redacted]	City [redacted]	Zip [redacted]	[redacted]	[redacted]	

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*):	
[redacted]	Vera	David		**(On Duty)** Present during shooting	Witness to shooting Involved in shooting
				On Duty Present during shooting	Witness to shooting Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Arriaga	Michael	

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Wegener	Kent	

PSTD Use Only
SH # 2058884

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
03/08/02	2100	03/18/02	

Employee #	Last Name	First Name	M.I
[redacted]	O'Brien	Mike	
[redacted]	Porlier	Clay	
[redacted]	Gregg	Larry	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S-1	E-1	FH	LO	38			NN	
S-1	E-2	FH	LO	38			NN	
E-1	S-1	FH	BR	9	Y	Y	NN	
E-2	S-1	FH	HK	45	Y	Y	NN	

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 002-05092-2141-055

Involved Employee

E 1

Employee #[redacted]	Last Nam[redacted]	First Nam[redacted]	M.I.
Sex: M Race: White	Rank: Deputy	Unit [redacted]	Work Assignment (Unit #, [redacted]):
ShiftTime (*circle only one*): [redacted]	ShiftType (*circle only one*): [redacted]	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☒
Hrs of sleep prior to shooting: 6	Duty [redacted]	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: [redacted]	Weight: [redacted]		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used?[redacted]	Patrol Certification?[redacted]	Certification Unit: [redacted]	Prior Shootings?[redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp #[redacted]	Last Name[redacted]	First Name[redacted]	M.I.
Field Training Officer Emp #[redacted]	Last Name[redacted]	First Name[redacted]	M.I.

E 2

Employee #[redacted]	Last Name: White	First Name: Richard	M.I.
Sex: M Race: White	Rank: Deputy	Unit Assignment: Century Station	Work Assignment (Unit #, [redacted]):
ShiftTime (*circle only one*): [redacted]	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty [redacted]	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 5'09"	Weight: 175		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used?[redacted]	Patrol Certification?[redacted]	Certification Unit: [redacted]	Prior Shootings? ☒ Number of Prior Shootings: 1
Field Training Officer Emp #[redacted]	[redacted]ast Name[redacted]	First Name[redacted]	M.I.
Field Training Officer Emp #[redacted]	[redacted]ast Name[redacted]	First Name[redacted]	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting Suspect Information

URN: 002-05092-2141-055

Suspect Information

S 1

Last Name [redacted]		First Name [redacted]	M.I.
AKA Last Name		First Name	M.I.
Sex: M Race: Black	Street Address [redacted]	City [redacted]	[redacted] Zi[redacted]
Work Phon[redacted]	H[redacted]	Social Secu[redacted]	Driver's License #:
Age: 17 D.O.B. [redacted]	Heigh[redacted] Weight[redacted]	FBI # [redacted]	CII # [redacted]
Booking [redacted]	Primary Charge: 245(D)(2) PC	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History?[redacted]
Vehicle Make		Model:	Year:

S___

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S___

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S___

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

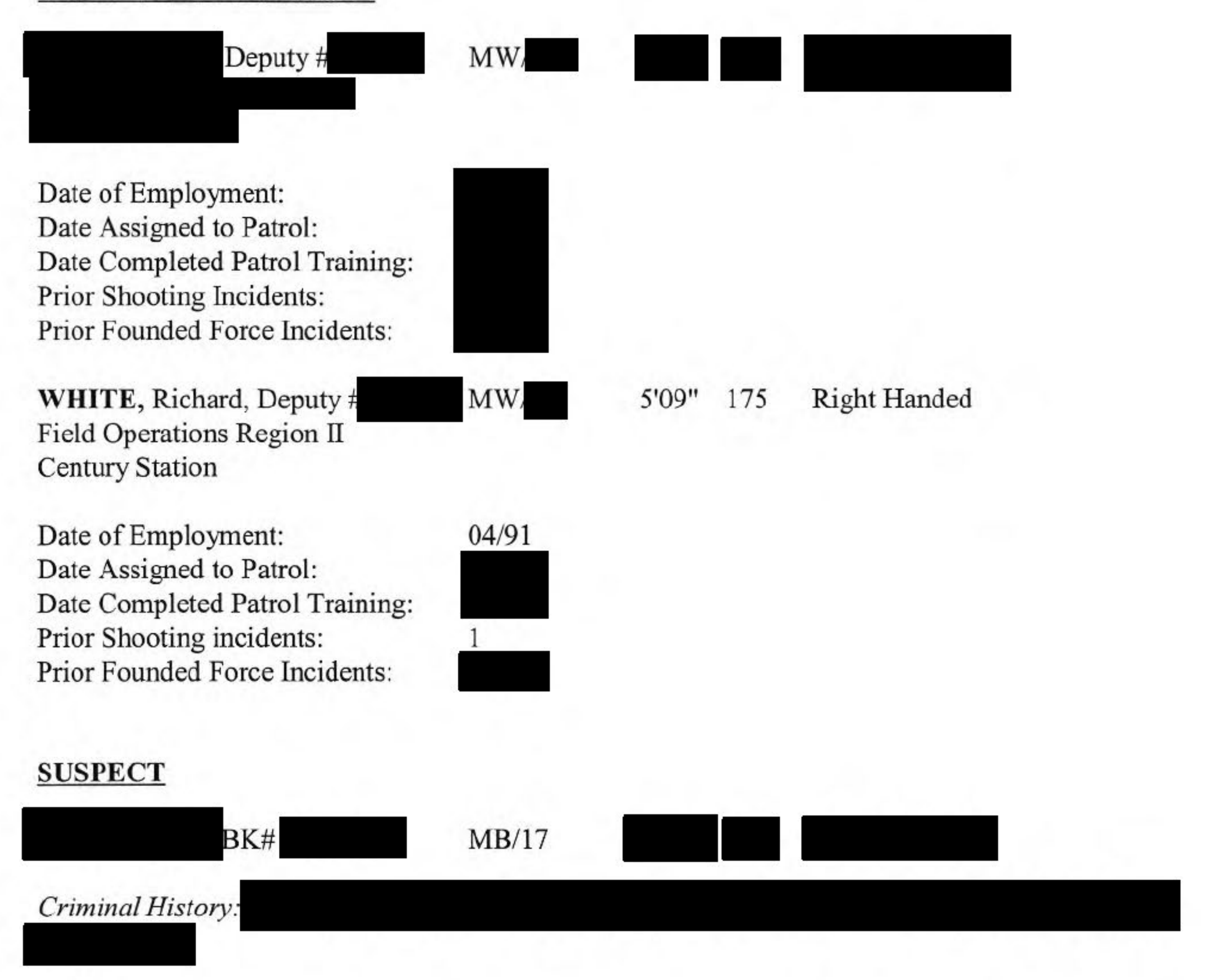
Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted] FB/[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]
[redacted] MB/[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]
[redacted] FB/[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]
[redacted] FB/[redacted]	[redacted]		[redacted]		[redacted]	[redacted]
[redacted] MB/[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED SHOOTING: NON-HIT
SH 2058884
002-05092-2141-055

DATE / TIME / LOCATION

Friday, March 8, 2002
1920 hours
[redacted] E. 139th Street, Los Angeles



INVOLVED PERSONNEL

[redacted] Deputy #[redacted] MW/[redacted] [redacted]

Date of Employment:	[redacted]
Date Assigned to Patrol:	
Date Completed Patrol Training:	
Prior Shooting Incidents:	
Prior Founded Force Incidents:	

WHITE, Richard, Deputy #[redacted] MW/[redacted] 5'09" 175 Right Handed
Field Operations Region II
Century Station

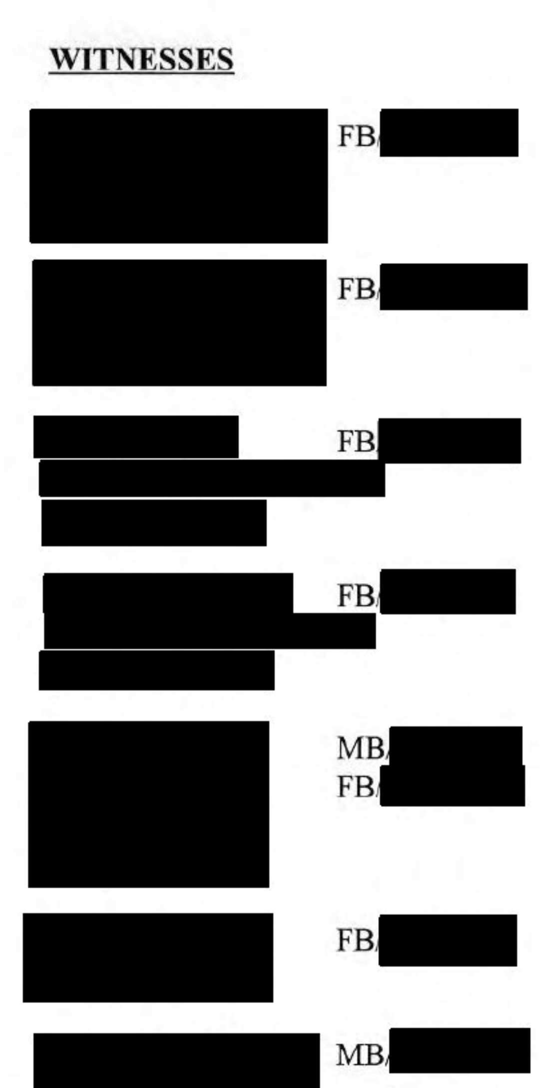
Date of Employment:	04/91
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	
Prior Shooting incidents:	1
Prior Founded Force Incidents:	[redacted]

SUSPECT

[redacted] BK#[redacted] MB/17 [redacted]

Criminal History: [redacted]

WITNESSES



[redacted] FB/[redacted]

[redacted] FB/[redacted]

[redacted] FB/[redacted]

[redacted] FB/[redacted]

[redacted] MB/[redacted]
FB/[redacted]

[redacted] FB/[redacted]

[redacted] MB/[redacted]

INJURIES

Deputies [redacted] and White received no injuries during this incident. Subject [redacted] suffered minor abrasions to his right cheek and lower right chin. These injuries were sustained either as a result of his colliding into a wooden gate as he fled through the side yard of [redacted] or during his climbing of the cinder block wall which separated the yards of [redacted] and [redacted]

PHYSICAL EVIDENCE

A loaded Lorcin .380 semi-auto handgun was recovered from the rear yard of [redacted]
Five live rounds were found in the magazine and one live round was found nearby, having somehow

dislodged when the gun hit the concrete patio.

INVESTIGATOR OBSERVATIONS

No special observations noted.

WEAPONS USED BY DEPUTY PERSONNEL

Deputy [redacted]

Service Weapon Type:	Department Issued Beretta 92F 9mm Semi-Automatic
Rounds Fired:	7
Type of Ammunition Used:	Department Issued Winchester Ranger SXT 147gr.
Date Employee Last Qualified:	[redacted]

Deputy White:

Service Weapon Type:	Personal H&K USP .45 Semi-Automatic
Rounds Fired:	4
Type of Ammunition Used:	Department Authorized Winchester Ranger SXT 230 gr.
Date Passed Class For H&K .45:	[redacted] 
Date Employee Last Qualified:	[redacted]

WEAPON USED BY SUBJECT

Type of Weapon Used:	Chrome semi-auto handgun
Weapon Recovered:	Chrome Lorcin .380 semi-auto handgun
Casings Recovered:	5 live rounds in the magazine, 1 live round found near gun
Gunshot Residue Results:	N/A
Weapon Checked for Fingerprints:	Yes
Results:	Prints on recovered weapon match those of Subject [redacted]

PROPERTY DAMAGE

Bullet strikes were located in the wooden gates of both [redacted] and [redacted] as well as a concrete pilaster that separates the yards and a street light next to it. A round that went through the wooden gate of [redacted] also struck the windshield of an abandoned car in the rear yard of [redacted] Risk Management was on scene and discussed the damages with the property owners.

CRIMINAL INVESTIGATOR/CHARGES FILED

Investigator's Name:	Det. Dana Ellison
Court:	Compton Juvenile Court
Charges:	245(D)(2) PC
Court Date:	Pending

LIGHTING AND WEATHER CONDITIONS

The area between the houses where the suspect was found is poorly lit. The lighting improves as one moves closer to the street.

EMPLOYEE STATEMENTS

IAB Note: Both deputies agreed to be interviewed by Internal Affairs Investigators without representation.

Deputy [redacted] stated he has been working the [redacted] shift for over a year. This evening, he and his partner of three days, Deputy Richard White, were working Century unit [redacted] their shift being [redacted] hours. They were driving a marked black and white patrol vehicle and were dressed in Class A uniforms. Deputy [redacted] was the driver and Deputy White was the bookman.

At approximately 1920 hours while patrolling the Athens Park area, he and his partner were traveling eastbound on 140th Street when they approached the stop sign at San Pedro Blvd. As he looked north, he saw a group of three male blacks standing on the west sidewalk of San Pedro Street. One of the individuals was wearing a red shirt which had stenciled across the back "135 Westside Piru," a known local street gang. The second individual was dressed in all black, while the third individual wore a bulky black jacket. Deputy [redacted] stated this area has seen a large increase in gang activity, including several shootings. He recognized the individual with the stenciled shirt as someone who associates with the 135 Westside Piru gang. Deputy [redacted] drove toward the group, illuminating them with their headlights and spot lights. As they approached the group, the individual wearing all black dropped a brown paper bag on the ground. Deputy [redacted] decided to contact the group regarding a littering and narcotic's investigation, as well as a "gang members loitering in public" violation. He stopped the car and approached the group on foot. Prior too actually contacting the group, the individual wearing the bulky jacket, later identified as Subject [redacted] looked in the direction of Deputies [redacted] and White and ran away in a northwesterly direction, crossing Allenhurst Street and then entering a north/south alley immediately west of San Pedro Street.

Deputy White went in foot pursuit of Subject [redacted] as Deputy [redacted] jumped into the patrol car. Deputy [redacted] held his gun in his right hand and placed his flashlight between his legs, then drove northbound in the alley following Deputy White, and Subject [redacted] who was ahead of both of

them. Deputy [redacted] never lost sight of his partner. Deputy [redacted] was unable to use the patrol car radio to announce the pursuit because his right hand held his Beretta handgun. Halfway through the length of the alley, Deputy [redacted] drove past Deputy White. When asked if he considered picking up Deputy White, Deputy [redacted] stated he felt it was tactically more sound to keep some distance between he and his partner. At about the same time, Deputy [redacted] noticed Subject [redacted] was no longer running with his arms swinging freely. Instead, Subject [redacted] appeared to be holding or reaching into his left jacket pocket. Subject [redacted] exited the alley and angled off in a northwest direction, crossing 139th Street.

As Deputy [redacted] exited the alley, Subject [redacted] was half way across the street and approximately ten yards ahead of him. It was at this point that Deputy [redacted] saw Subject [redacted] remove his left hand from his left jacket pocket, holding an object that Deputy [redacted] immediately recognized as a chrome semi-auto handgun. As Subject [redacted] reached the sidewalk on the north side of the street, he looked over his shoulder in the direction of Deputy [redacted] Deputy [redacted] believed Subject [redacted] was going to run between the yards. Deputy [redacted] quickly closed the gap between his patrol car and Subject [redacted] and intended to stop short of Subject [redacted] Instead, the momentum of the patrol car carried him to a point directly across from Subject [redacted] who was now on the driveway of [redacted] Subject [redacted] turned to his left, extended his left arm and pointed a chrome semi-auto handgun directly at Deputy [redacted] Deputy [redacted] believed he was about to be shot and in self-defense, fired a single round at Subject [redacted] through the open right front passenger side window.

Subject [redacted] turned and ran down the right side of [redacted] as Deputy [redacted] exited his patrol car and sought cover behind the left rear of the patrol vehicle. Subject [redacted] ran into the wooden gate at the entrance of the side yard. He again turned to his left and pointed the chrome semi-auto handgun at Deputy [redacted] Deputy [redacted] fearing for his life, fired six rounds from his Beretta handgun at Subject [redacted] As Deputy [redacted] was shooting, Subject [redacted] climbed over a six-foot cinder block side wall and entered the front yard of [redacted] Because of the six-foot cinder block wall, Deputy [redacted] lost sight of Subject [redacted] However, his partner Deputy White, his position slightly further east, was shining his flashlight toward Subject [redacted] in the front yard.

Deputy [redacted] then heard Deputy White fire four rounds. Believing Subject [redacted] had hopped the wall and was making his way eastbound toward the alley, Deputy [redacted] ran east to the edge of the alley, his intention being to set up an area of containment for Subject [redacted] As Deputy [redacted] began to announce their predicament to SCC, he heard Deputy White yell to him that Subject [redacted] was down in the front yard. Deputy [redacted] ran back and took cover behind a small block wall and held Subject [redacted] at gunpoint. Deputy [redacted] was also mindful of keeping an eye out for the two individuals Subject [redacted] was standing with prior to their arrival.

When assisting units arrived, Subject [redacted] crawled out toward the front yard at the direction of deputies. He was then handcuffed without incident. Deputy [redacted] does not recall saying or issuing any orders to Subject [redacted] prior to or during the time he shot. Deputy [redacted] also does not recall

Subject [redacted] speaking during the entire incident.

Deputy [redacted] was always cognizant of his partner's whereabouts, saying they were always in sight of each other.

IAB Note: Several discrepancies were noted between the criminal report written by Deputy [redacted] and Deputy [redacted] supplemental report and IAB interview. Deputy [redacted] was asked to clarify the discrepancies. Regarding the number of rounds fired inside the vehicle, Deputy [redacted] is adamant he fired only one round inside the patrol car, even though three shell casings were recovered from inside the vehicle. There is also no mention of his firing from outside his vehicle in the criminal report. Deputy [redacted] was contacted regarding the discrepancies and stands by his supplemental report and IAB interview, saying he did not review the criminal report and therefore did not catch the errors. Also, as a side note, there is no differentiation in the shell casings listed in the Crime Lab Supplemental Report, despite both 9mm and .45 caliber rounds being fired by the deputies, making it impossible to discern where the various casings landed.

Deputy Richard White was working Century unit [redacted] with his partner Deputy [redacted] Deputy [redacted] was driving and he was the bookman. Their patrol car was a marked black and white unit and they were each wearing Class A uniforms with soft-web gear. Deputy White described the area they were patrolling as one having heavy gang problems, including numerous incidents involving firearms.

While stopped eastbound 140th Street at San Pedro Street, Deputy White looked north and saw three males standing on the west sidewalk. One of the individuals was wearing all black and another had on a red sweat shirt, on the back of which was stenciled, "135 West Side Piru." The third individual later identified as Subject [redacted] was wearing a heavy black jacket. As Deputies [redacted] drove toward the group, the individual wearing all dark clothing placed a paper bag on the ground. Both deputies illuminated the group with their spot lights as they pulled to a stop, then exited their vehicle. It was at this point that Subject [redacted] began running northbound to Allenhurst Street, crossing it in a northwesterly direction and entering a north/south alley immediately west of San Pedro Street.

Deputy White yelled to Deputy [redacted] to get the car as he (Deputy White) ran after Subject [redacted] As Deputy White entered the alley and ran along the east side, Subject [redacted] was approximately thirty feet ahead of him and running along the west side of the alley. Deputy White could hear Deputy [redacted] approaching from behind him with the radio car. At about mid-alley, Deputy White saw Subject [redacted] reach into his front waistband, either holding or manipulating an object. Based on the area they were in, the people Subject [redacted] was associating with and his own personal knowledge that criminals often conceal weapons in their waist area, Deputy White believed Subject [redacted] was arming himself. At this point, Deputy [redacted] drove past Deputy White. Deputy White said he went to key the microphone of his hand held radio to announce he was in foot pursuit, but

only heard two beeps, indicating a poorly charged battery.

Deputy [redacted] was rapidly closing in on Subject [redacted] when they exited the alley. Subject [redacted] ran across E. 139th Street and to the west, crossing onto the north sidewalk. Deputy White was running northwest across E. 139th Street when he saw Subject [redacted] turn to his left, holding a chrome handgun in his left hand. Subject [redacted] pointed the gun with an outstretched arm at Deputy [redacted] car. Deputy White said he heard several shots come from Deputy [redacted] car. Deputy White does not recall seeing Deputy [redacted] fire from outside the vehicle, but he was certain he heard several rounds fired. Subject [redacted] then ran north into the east side yard of [redacted] He lost sight of Subject [redacted] due to the very poor lighting and the fact that Subject [redacted] was also behind a block wall at this point. Deputy White next saw Subject [redacted] climb over the block wall into the front yard of [redacted] He could not tell if Subject [redacted] was facing toward him or away from him. However, when he saw the handgun come back up toward him, Deputy White feared for his life and that of Deputy [redacted] and fired three or four rounds at Subject [redacted] Deputy White then stopped to reassess the situation and realized Deputy [redacted] was to his left. As he looked toward the area of Subject [redacted] Deputy White saw the chrome handgun fly through the air towards the rear yard of [redacted]

Deputy [redacted] moved to the east past Deputy White and began broadcasting a "998" call. Deputy [redacted] continued moving east toward the alley in an apparent effort to begin containment as Deputy White directed his flashlight at the area where Subject [redacted] was last seen. Deputy White saw Subject [redacted] lying on the ground. He could not tell whether Subject [redacted] was lying on his stomach or back due to the heavy jacket he was wearing, but it looked as though he was incapacitated. Deputy White yelled to Deputy [redacted] that Subject [redacted] was on the ground in front of him. Deputy [redacted] came back and took up a position near Deputy White behind a block wall. Deputy White then requested assistance and the two of them contained Subject [redacted] pending the arrival of other deputies. When other deputies arrived, it was decided it was safer to have Subject [redacted] crawl out to them as opposed to them entering a dark area. Subject [redacted] crawled out to the deputies as directed and was handcuffed without incident.

Deputy White does not recall either he or Deputy [redacted] yelling any commands to Subject [redacted] He also feels he had Deputy [redacted] in sight at all times during their pursuit. Deputy White recalls only one volley of gunfire from Deputy [redacted] He does not recall Deputy [redacted] firing from outside his vehicle.

WITNESS STATEMENTS

While the listed witnesses all heard what they described as firecrackers going off, most heard approximately five "bangs," followed by the sound of sirens. None actually witnessed the shooting or the events that proceeded it.

SUBJECT STATEMENT

Subject [redacted] said initially he ran when he saw the deputies because he had half of a "nickle" (five dollar) bag of marijuana, was under the influence and was also on [redacted] but denied ever possessing a gun. When told deputies had seen him with a chrome handgun and that an identical gun was recovered near where he was captured, Subject [redacted] changed his story. He stated he found the gun on the ground by a gas station and decided to keep it for protection against Mexican gang members. A short while later he changed his story, saying that he had bought the gun for $50 from a cocaine addict behind [redacted] store located in the 13400 block of Avalon Blvd. The reason for wanting the gun remained the same – to protect himself from Mexican gang members. Subject [redacted] was shot in the leg by a member of the Mexican gang "B13" in the same neighborhood where the deputies first spotted him.

Subject [redacted] ran north on San Pedro Street, then west on Allenhurst Street. From there he ran north in an alley west of San Pedro Street. At E. 139th Street he turned left and began running westbound. While running westbound on E. 139th Street, he heard several gunshots come from behind him in the alley.

> **IAB Note:** Both deputies state they only fired their weapons on 139th St. and never in the alley. No shell casings were found in the alley and no additional bullet strikes were located in the alley or on 139th Street.

It was at this point that he removed the gun from his left jacket pocket with his left hand and ran down a side yard of a nearby house. When he encountered a wooden gate, he climbed over the block wall, striking his head on the wall as he did so. He believes he may have blacked out at this point. Subject [redacted] fell forward off the wall and landed on his back. He does not remember how the gun got into the rear yard. He was then arrested by deputies.

Subject [redacted] reported that he has blacked out on several occasions in the past, including during an assault he committed against his [redacted] n 1999. He believes this occurs when he experiences high levels of fear, anger or excitement.

Subject [redacted] recalled hearing the deputies yell for him to stop, saying the would shoot him. He denies ever pointing the gun at the deputies.

MISCELLANEOUS

Subject [redacted] is currently being detained at Los Padrinos Juvenile Hall on charges of Assault On A Peace Officer, 245(d)(2) PC, Carrying A Concealed Weapon On A Person, 12025(B) PC, Minor Possessing Firearm Without Consent, 12101(A) PC, and Minor In Possession Of Live Ammo, 12101(B) PC, pending a court date.